

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

ANDREA HERBERT.

**Plaintiff,**

## NEW CASTLE CORPORATION

**Defendant.**

Case No. 2:17-cv-02410-APG-PAL

## **ORDER ACCEPTING REPORT AND RECOMMENDATION AND DISMISSING THE PLAINTIFF'S COMPLAINT**

(ECF No. 20)

On March 8, 2018, Magistrate Judge Leen issued a report and recommendation in which she recommends that I dismiss plaintiff Andrea Herbert’s complaint because Herbert has failed to respond to court orders and has not prosecuted this case. ECF No. 20. Herbert did not file an objection. Thus, I am not obligated to conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo determination of those portions of the report or specified proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings and recommendations de novo if objection is made, but not otherwise” (emphasis in original)).

IT IS THEREFORE ORDERED that Magistrate Judge Leen's report and recommendation  
**(ECF No. 20) is accepted.** Plaintiff Andrea Herbert's complaint is DISMISSED with prejudice.

DATED this 2nd day of April, 2018.

  
ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE